

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

CYBERFONE SYSTEMS, LLC,

Plaintiff,

v.

AMAZON.COM, INC., ET AL.,

Defendants.

C.A. No. 1:11-cv-831-SLR

DEMAND FOR JURY TRIAL

**PLAINTIFF CYBERFONE SYSTEMS, LLC'S ANSWER TO DEFENDANT
MARRIOTT INTERNATIONAL, INC.'S COUNTERCLAIMS**

Plaintiff CyberFone Systems, LLC (“CyberFone”), by and through its undersigned counsel, answers the Counterclaims of Defendant Marriott International, Inc. (“Marriott”) by corresponding paragraph number as follows:

1. Admitted.
2. Admitted that CyberFone was a Virginia limited liability company at the time it filed the First Amended Complaint. CyberFone is now a Texas limited liability company with a principal place of business at 719 W. Front Street, Suite 242, Tyler, Texas 75702.

Jurisdiction and Venue

3. Admitted.
4. Admitted.

COUNT ONE: DECLARATORY JUDGMENT OF NON-INFRINGEMENT

5. CyberFone incorporates its response to paragraphs 1 through 4 of Marriott's counterclaims as if fully set forth herein.
6. Admitted.
7. Admitted.
8. Admitted.

9. CyberFone denies the merits of the allegations in paragraph 9 of Marriott's counterclaims.

10. Admitted.

11. Denied.

COUNT TWO: DECLARATORY JUDGMENT OF PATENT INVALIDITY

12. CyberFone incorporates its response to paragraphs 1 through 11 of Marriott's counterclaims as if fully set forth herein.

13. CyberFone denies the merits of the allegations in paragraph 13 of Marriott's counterclaims.

14. Admitted.

15. Denied.

DEMAND FOR JURY TRIAL

CyberFone demands a trial by jury on all issues so triable.

WHEREFORE, CyberFone prays for the following relief with regard to Marriott's counterclaims:

- A. A dismissal with prejudice of Marriott's counterclaims;
- B. An adjudication that Marriott is not entitled to any relief on its counterclaims, including, without limitation, any fine or damages; and
- C. Costs and such further relief to which CyberFone is entitled, and which the Court deems just and equitable.

February 10, 2012

BAYARD, P.A.

Of Counsel:

Marc A. Fenster
Bruce D. Kuyper
Fredricka Ung
Russ August & Kabat
12424 Wilshire Boulevard, 12th Floor
Los Angeles, CA 90025-1031
(310) 826-7474
mfenster@raklaw.com
bkuyper@raklaw.com
fung@raklaw.com

/s/ *Vanessa R. Tiradentes*
Richard D. Kirk (rk0922)
Stephen B. Brauerman (sb4952)
Vanessa R. Tiradentes (vt5938)
222 Delaware Avenue, Suite 900
Wilmington, DE 19801
(302) 655-5000
rkirk@bayardlaw.com
sbrauerman@bayardlaw.com
vtiradentes@bayardlaw.com

Attorneys for Plaintiff,
CyberFone Systems, LLC